

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

TRACY J. KARL-LEBBRENZ,
Plaintiff,

v.

CAROLYN W. COLVIN,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

DECISION AND
ORDER
12-CV-01099A

The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On July 18, 2014, Magistrate Judge Scott filed a Report and Recommendation, recommending that plaintiff's motion (Dkt. No. 12) be granted in part, vacating the Commissioner's determination, and remanding the case for the purpose of completing the medical record and for reassessment of mental and physical disability. Magistrate Judge Scott further recommended denying the Commissioner's motion (Dkt. No. 11) for judgment on the pleadings.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, the Court hereby grants plaintiff's motion (Dkt. No. 12) in part, for the limited purpose of vacating the Commissioner's determination and remanding the case for a full assessment after the

medical record has been completed. The remainder of the plaintiff's motion, to the extent that it seeks any other relief, is denied without prejudice. The Commissioner's motion (Dkt. No. 11) is hereby denied.

The case is referred back to Magistrate Judge Scott for further proceedings..

IT IS SO ORDERED.

_____*Richard J. Arcara*_____
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: August 5, 2014